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*Attorneys for Defendant
Bank of America, N.A., successor by merger
to BAC Home Loans Servicing, LP*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CIRO DAVILA, an individual,

Plaintiff,

vs.

BAC HOME LOANS SERVICING, LP, a
subsidiary of BANK OF AMERICA, N.A., and
DOES I through X inclusive,

Defendants.

Case No.: 2:10-cv-02252-ECR-GWF

ORDER CANCELING LIS PENDENS

This Court issued an Order Granting Defendant Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP's ("Defendant"), Motion to Dismiss [Dkt. 4] ("Motion") on July 26, 2011.

Defendant requests that the lis pendens Plaintiff CIRO DAVILA ("Plaintiff") recorded against the subject property be canceled.

The Court finds that Plaintiff recorded a Notice of Lis Pendens ("Lis Pendens") on or about November 17, 2010, as Instrument Number 201011170002181 in real property records maintained by the Clark County Recorder. A copy of the Lis Pendens is attached hereto as **Exhibit A** and fully incorporated by reference.

Upon consideration of Defendant's request to cancel the above-referenced Lis Pendens, and good cause appearing therefore, the Court hereby grants Defendant its requested relief and rules as follows:

400 SOUTH FOURTH STREET, SUITE 450
LAS VEGAS, NEVADA 89101
TEL.: (702) 634-5000 - FAX: (702) 380-8572

3. It is further ordered, adjudged and decreed that Defendant record a properly certified copy of this Cancellation Order in the real property records of Clark County, Nevada within a reasonable amount of time from the date of this Order's issue.

Edward C. Reed.

Dated: September 13, 2011.

AKERMAN SENTERFITT LLP

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400 South Fourth Street, Suite 450

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Attorneys for Defendant

Bank of America, N.A., successor by merger to

BAC Home Loans Servicing, LP

AKERMAN SENTERFITT LLP

400 SOUTH FOURTH STREET, SUITE 450
LAS VEGAS, NEVADA 89101
TEL: (702) 634-5000 – FAX: (702) 380-8572

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on the 8th day of September, 2011 and pursuant to Fed. R. Civ. P. 5, I served via CM/ECF and/or deposited for mailing in the U.S. Mail a true and correct copy of the foregoing **[Proposed] ORDER CANCELING LIS PENDENS**, postage prepaid and addressed to:

MICHAEL J. HARKER, ESQ.
Boggess & Harker
5550 Painted Mirage Road, Suite 255
Las Vegas, Nevada 89149
Facsimile: 702- 233-2209

Attorney for Plaintiff

/s/ Debbie Julien
An employee of AKERMAN SENTERFITT LLP

EXHIBIT A

EXHIBIT A

Inst #: 201011170002181

Fees: \$15.00

N/C Fee: \$0.00

11/17/2010 09:05:00 AM

Receipt #: 581305

Requestor:

MICHAEL J HARKER (LEGAL WIN

Recorded By: MAT Pgs: 2

DEBBIE CONWAY

CLARK COUNTY RECORDER

APN# 179-31-315-031

11-digit parcel number may be obtained at:
<http://redrock.co.clark.nv.us/assrrealprop/owner.aspx>

Notice of

(2)

Lis Pendens

Type of Document

(Example: Declaration of Homestead, Quit Claim Deed, etc.)

Recording Requested by:

Bogges + Harker

Return To:

Name Michael J. Harker, Esq.

Address 5550 Painted Mirage Rd. #255

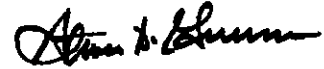
City/State/Zip Las Vegas, NV 89149

This page added to provide additional information required by NRS 111.312 Section 1-2
(An additional recording fee of \$1.00 will apply)

This cover page must be typed or printed clearly in black ink only.

CS 02/07

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CLERK OF THE COURT

1 **PARCEL NO (179-31-315-031)**
2 **BOGGESE & HARKER**
3 **MICHAEL J. HARKER, ESQ.**
4 Nevada Bar No. 005353
5 5550 Painted Mirage Road, Suite 255
6 Las Vegas, Nevada 89149
7 (702) 233-5040
8 Attorney for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

7 **CIRO DAVILA, an individual**

8 **Plaintiff,**

9 **vs.**

10 **BAC HOME LOANS SERVICING, LP., a**
11 **subsidiary of BANK OF AMERICA N.A.,**
12 **and DOES I through X inclusive,**

13 **Defendants.**

CASE NO: A-10-627134

DEPT NO: X

NOTICE OF LIS PENDENS

14 **NOTICE is hereby given that an action has been commenced and is now pending in this court**
15 **on the Complaint of the above-named Plaintiff against the above-named Defendants, seeking that the**
16 **title to said interest of the parties to be granted to Plaintiff.**

17 **The real property in the County of Clark affected thereby is particularly described as follows:**

18 **PARADISE POINT UNIT -4**
19 **PLAT BOOK 122 PAGE 46**
20 **LOT 377**

21 **PARCEL NO. 179-31-315-031**

22 **Commonly known as 112 Staplehurst Ave., Henderson, Nevada 89002.**

23 **DATED this 10th day of November, 2010.**

24 **BOGGESE & HARKER**

25 **BY: /s/ Michael J. Harker**

26 **MICHAEL J. HARKER, ESQ.,**

27 **Nevada State Bar Number 5353**

28 **5550 Painted Mirage Road, Suite 255**

Las Vegas, NV 89149

Attorney for Plaintiff

BOGGESE & HARKER

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